

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

SEE ATTACHMENT

Petty
 Minor
 Misdemeanor
 Felony

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

FILED

MAR 26 2008

DEFENDANT - U.S.

JAMES RICHARDS

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DISTRICT COURT NUMBER

CRO8-0194**SBA**

PENALTY: SEE ATTACHMENT

E-filing**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

ALCOHOL, TOBACCO AND FIREARM

person is awaiting trial in another Federal or State Court,
give name of court

this person/proceeding is transferred from another district
per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprocution of
 charges previously dismissed
 which were dismissed on motion
of:

U.S. ATTORNEY DEFENSE

this prosecution relates to a
 pending case involving this same
defendant

prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
defendant were recorded under

SHOW
DOCKET NO.

{

MAGISTRATE
CASE NO.

{

Name and Office of Person
Furnishing Information on this form JOSEPH P. RUSSONIELLO

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.
Attorney (if assigned)

JAMES C. MANN, AUSA**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**

SUMMONS NO PROCESS* WARRANT Bail Amount: NO BAIL

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

ATTACHMENT TO PENALTY SHEET FOR JAMES RICHARDS

Count One: 21 U.S.C. §§ 841(a)(1), (b)(1)(C) - Possession With Intent To Distribute A Schedule II Controlled Substance (Cocaine Base).

If 851 Information alleging prior felony narcotics conviction filed:

(1)	Imprisonment:	Maximum 30 Years Imprisonment
(2)	Fine:	Maximum \$2,000,000
(3)	Supervised Release:	Maximum Lifetime Mandatory Minimum 6-Year Term
(4)	Special Assessment:	\$100.00

If 851 Information alleging prior felony narcotics conviction not filed:

(1)	Imprisonment:	Maximum 20 Years Imprisonment
(2)	Fine:	Maximum \$1,000,000
(3)	Supervised Release:	Maximum Lifetime Mandatory Minimum 3-Year Term.
(4)	Special Assessment:	\$100.00

Count Two: 18 U.S.C. § 922(g)(1) – Felon In Possession Of A Firearm.

(1)	Imprisonment:	Maximum 10 Years.
(2)	Fine:	\$250,000
(3)	Supervised release:	Maximum 3-Year Term
(4)	Special assessment:	\$100.00

Count Three: 18 U.S.C. § 924(c)(1)(A) – Possession Of Firearms In Furtherance of Drug Trafficking Crimes.

(1)	Imprisonment:	Maximum Life Imprisonment Mandatory Minimum 5 Years Imprisonment Consecutive To Any Other Term Of Imprisonment
(2)	Fine:	\$250,000
(3)	Supervised Release:	Maximum 5-Year Term
(4)	Special Assessment:	\$100.00

United States District Court
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

CR08-0194

FILED
2008 MAR 26 PM 12:34
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

E-filing

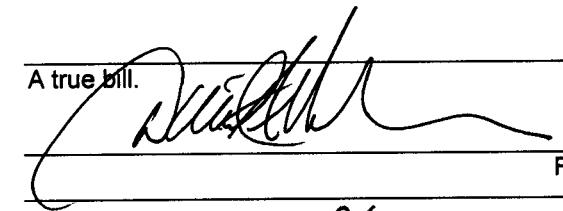
JAMES RICHARDS,

DEFENDANT(S).

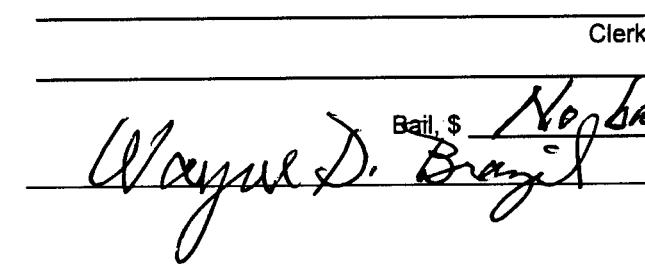
INDICTMENT

21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Possession With Intent
To Distribute Crack Cocaine; 18 U.S.C. § 922(g)(1) – Felon in
Possession of a Firearm; 18 U.S.C. § 924(c)(1)(A) – Using and
Carrying a Firearm During Drug Trafficking Crime

A true bill.


Foreman

Filed in open court this 26 day of
MARCH 2008.


Clerk

Bail \$

*No bail arrest warrant.
Wayne D. Brazil 3/26/08*

1 JOSEPH P. RUSSONIELLO (CABN 44332)
 2 United States Attorney

FILED
 2008 MAR 26 PM 12:34
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

E-filing

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 OAKLAND DIVISION

11
 12 UNITED STATES OF AMERICA,)
 13 Plaintiff,)
 14 v.)
 15 JAMES RICHARDS,)
 16 Defendant.)
 17 _____)

CR08-0194 SBA

No. VIOLATIONS: 21 U.S.C. §§ 841(a)(1) and
 841(b)(1)(C) – Possession With Intent To
 Distribute Crack Cocaine; 18 U.S.C. §
 922(g)(1) – Felon in Possession of a
 Firearm; 18 U.S.C. § 924(c)(1)(A) – Using
 and Carrying a Firearm During Drug
 Trafficking Crime

OAKLAND VENUE

INDICTMENT

20 The Grand Jury charges:

21 COUNT ONE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Possession With Intent To
 22 Distribute Crack Cocaine)

23 On or about November 8, 2007, in the Northern District of California, the defendant,

24 JAMES RICHARDS,

25 knowingly and intentionally possessed with intent to distribute a Schedule II controlled
 26 substance, namely, approximately 2.43 grams of a mixture and substance containing a detectable
 27 amount of cocaine base in the form of “crack,” in violation of Title 21, United States Code,
 28 Sections 841(a)(1) and 841(b)(1)(C).

INDICTMENT

1 COUNT TWO: (18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm)

2 On or about November 8, 2007, in the Northern District of California, the defendant,

3 JAMES RICHARDS,

4 having previously been convicted of a felony crime punishable by a term of imprisonment
5 exceeding one year, did knowingly possess a firearm and ammunition, described as: (1) a AA
6 Arms Inc., Model AP9 9mm semiautomatic pistol, with serial number 058198, and (2) 27 live
7 rounds of 9mm ammunition, in and affecting commerce, in violation of Title 18, United States
8 Code, Section 922(g)(1).

9 COUNT THREE: (18 U.S.C. § 924(c)(1)(A) – Using, Carrying, and Possessing a Firearm
10 During, in Relation to, and in Furtherance of a Drug Trafficking Crime)

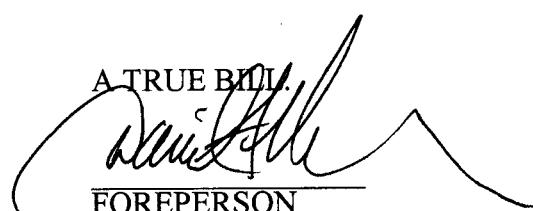
11 On or about November 8, 2007, in the Northern District of California, the defendant,

12 JAMES RICHARDS,

13 did knowingly use and carry a firearm during and in relation to the drug trafficking crime alleged
14 in Count One herein, which crime may be prosecuted in a court of the United States, and, in
15 furtherance of that crime, did knowingly possess that firearm, in violation of Title 18, United
16 States Code, Section 924(c)(1)(A).

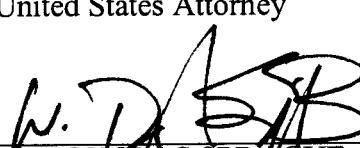
17 DATED: March 26, 2008

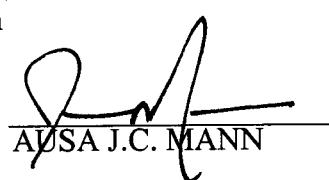
A TRUE BILL.



FOREPERSON

21 JOSEPH P. RUSSONIELLO
22 United States Attorney

23 
24 W. DOUGLAS SPRAGUE
25 Chief, Oakland Branch

26 (Approved as to form: 
27 AUSA J.C. MANN

28 INDICTMENT